

# THE BERKMAN LAW OFFICE, LLC

111 Livingston Street, Suite 1928  
Brooklyn, New York 11201

Tel: (718) 855-3627

Fax: (718) 855-4696

August 7, 2018

Hon. Roanne L. Mann  
Chief United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Lelchook, et al. v. Islamic Republic of Iran, et al.*  
Case no: 16-cv-07078(ILG)(rlm)

Dear Judge Mann:

We write on behalf of the plaintiffs in response to the letter filed earlier today by counsel for defendant Bank Saderat PLC (“BSPLC”), informing the Court that “[i]n advance of resolution of the pending motion for jurisdictional discovery” BSPLC has decided that it “no longer intends to participate in legal proceedings in this case” and has discharged its counsel, and that counsel intends to file a motion to withdraw “in the coming days.” DE 133.

Plaintiffs were taken by surprise by this development, and we are currently examining how the withdrawal of defense counsel and BSPLC’s stated intention not to participate further in this case at this juncture will impact the proceedings, and whether any conditions should be imposed on such withdrawal. At a minimum the action should not be stayed to allow BSPLC to find new counsel, as is common when attorneys withdraw, because BSPLC is stating that it does not plan to participate further. Equally clearly, this development is no reason for the case not to proceed.

Plaintiffs respectfully request an opportunity, and a period of four business days, to respond to BSPLC’s counsel’s motion to withdraw once it is filed.

We thank you for your consideration.

Respectfully yours,

  
Robert J. Tolchin

cc: All counsel of record by ECF